



3341312611 #6741  
BAT 6/1/01

PTO/SB/21 (modified)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	Application Number	09/333,724	
	Filing Date	June 15, 1999	
	First Named Inventor	Bryan C. Gebhardt	
	Group Art Unit Number	2711	
	Examiner Name	Not yet known	
Total Number of Pages in This Submission	5*	Attorney Docket Number	19502-03550

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ENCLOSURES (check all that apply)	
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REMARKS: \* Does not include cited reference pages.

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Attorney/Reg. No.:	Amir H. Raubvogel, Reg. No. 37,070
Dated:	MAY 24/01

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PATENT AND TRADEMARK OFFICE

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APPLICANTS: Gebhardt, Patel, Thygesen, Berriatua and Michael  
APPLICATION NO.: 09/333,724  
FILING DATE: June 15, 1999  
TITLE: Automatic Control Of Broadcast And Execution Of Interactive  
Applications To Maintain Synchronous Operation With Broadcast  
Programs  
EXAMINER: Not yet known  
GROUP ART UNIT: 2711  
ATTY. DKT. NO.: 19502-03559

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Amir H. Raubvogel, Reg. No.: 37,070

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

**INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

The Information Disclosure Statement submitted herewith is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first official action on the merits, whichever event last occurred;  
OR
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either:
- (1) a final action under 37 CFR § 1.113; OR
- (2) a notice of allowance under 37 CFR § 1.311; AND
- ☐ attached hereto is the fee of \$180, as set forth under 37 CFR § 1.17(p), for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;  
OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
- OR
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either:

**PATENT**

- [1] a final action under 37 CFR § 1.113; OR
- [2] a notice of allowance under 37 CFR § 1.311; AND  
in accordance with the requirements of 37 CFR § 1.97(d):
- ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
- ☐ Applicant hereby respectfully petitions for the consideration of the accompanying Information Disclosure Statement under 37 CFR § 1.97(d)(2); AND
- ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

☒ Applicant submits that no fee is required for the consideration of the accompanying Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
GEBHARDT, PATEL, THYGESEN,  
BERRIATUA AND MICHAEL

Dated: MAY 24/01

By: [Signature]  
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Sheet 1 of 1

FORM PTO-1449  
(REV. 6-89)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAttorney's Docket No.  
19502-03550Serial No.  
09/333,724**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Applicant  
Bryan C. Gebhardt et al.Filing Date  
June 15, 1999Group Art Unit  
2711**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	6,006,256	12/21/99	Zdepski et al.	709	217	03/11/96
	B	5,848,352	12/08/98	Dougherty et al.	455	5.1	
	C	5,826,166	10/20/98	Brooks et al.	455	5.1	
	D	5,819,034	10/06/98	Joseph et al.	395	200.31	
	E	5,448,568	09/05/95	Delpuch et al.	372	94.2	

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	F	Advanced Television Enhancement Forum Specification (ATVEF), Version 1.1r26, February 2, 1999, pp 1-37
	G	Pending United States patent application, "Automated Retirement of Interactive Applications Using Retirement Instructions for Events and Program States," Serial Number 09/334,131, Filing date June 15, 1999
	H	Statement from first named inventor concerning Cited Reference G
	I	Wink Communications, Technical Specification, Subject: 5.2.17 ServerInfo Define, December 31, 1995

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.